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Contract

Bone Conduction

The Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS") Gyle Square (NSS Head Office)

F03: Contract award notice

Notice identifier: 2024/S 000-017230

Procurement identifier (OCID): ocds-h6vhtk-04466b

Published 4 June 2024, 9:52am

Section I: Contracting authority

I.1) Name and addresses

The Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS") Gyle Square (NSS Head Office)

1 South Gyle Crescent

Edinburgh

EH12 9EB

Contact

Patrick Mulraney

Email

patrick.mulraney@nhs.scot

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<http://www.nss.nhs.scot/browse/procurement-and-logistics>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883

I.2) Information about joint procurement

The contract is awarded by a central purchasing body

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Bone Conduction

Reference number

NP66724

II.1.2) Main CPV code

- 33185000 - Hearing aids

II.1.3) Type of contract

Supplies

II.1.4) Short description

The Common Services Agency (more commonly known as National Services Scotland) ('the Authority') acting through its division National Procurement, is undertaking this procurement of Bone Conduction ('Products') as outlined further below on behalf of all entities constituted pursuant to the National Health Service (Scotland) Act 1978, (i.e. all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS Organisation established pursuant to the NHS (Scotland) Act 1978), any integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014 (collectively hereafter referred to as 'Participating Authorities').

II.1.6) Information about lots

This contract is divided into lots: Yes

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £8,250,000

II.2) Description

II.2.1) Title

Bone Drive Non-Implantable

Lot No

2

II.2.2) Additional CPV code(s)

- 33185000 - Hearing aids

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a range of Bone Drive Non-Implantable Devices be sold across NHS Scotland, directly to individual health boards.

We envisage awarding 4 suppliers on this lot.

II.2.5) Award criteria

Quality criterion - Name: Clinical Support / Training / Weighting: 25

Quality criterion - Name: Implementation & After sales / Weighting: 25

Price - Weighting: 50

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Ossicles Drive

Lot No

3

II.2.2) Additional CPV code(s)

- 33185000 - Hearing aids

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a range of Ossicles Drive Products to be sold across NHS Scotland, directly to individual health boards.

We envisage awarding 4 suppliers on this lot.

II.2.5) Award criteria

Quality criterion - Name: Clinical Support / Training / Weighting: 25

Quality criterion - Name: Implementation & After sales / Weighting: 25

Price - Weighting: 50

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Consumables

Lot No

4

II.2.2) Additional CPV code(s)

- 33185100 - Parts and accessories for hearing aids

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a range of Consumable products relating to Bone Conduction to be sold across NHS Scotland, directly to individual health boards.

All suppliers who are awarded to lots 1,2 & 3 will be awarded to lots 4 if they submit products within the pricing schedule

II.2.5) Award criteria

Quality criterion - Name: Implementation/After Sales / Weighting: 25

Quality criterion - Name: Clinical Support/Training / Weighting: 25

Price - Weighting: 50

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Bone Drive Implantable

Lot No

1

II.2.2) Additional CPV code(s)

- 33185000 - Hearing aids

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a range of Bone Drive Implantable Device and specifically related products to be sold across NHS Scotland, directly to individual health boards.

We envisage awarding 4 suppliers on this lot.

II.2.5) Award criteria

Quality criterion - Name: Clinical Support / Training / Weighting: 25

Quality criterion - Name: Implementation & After sales / Weighting: 25

Price - Weighting: 50

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2024/S 000-007359](#)

Section V. Award of contract

Lot No

1

Title

Bone Drive Implantable

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

28 May 2024

V.2.2) Information about tenders

Number of tenders received: 3

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 3

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 3

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

MED-EL UK Ltd.

3 Park Square, Thorncliffe Park

Sheffield

S35 2PH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

Oticon Limited

Cadzow Industrial Estate

Hamilton

ML3 7QE

Country

United Kingdom

NUTS code

- UKM95 - South Lanarkshire

The contractor is an SME

No

V.2.3) Name and address of the contractor

Cochlear Europe Limited

6 Dashwood Lang Road, Bourne Business Park

Addlestone

KT15 2HJ

Country

United Kingdom

NUTS code

- UKJ2 - Surrey, East and West Sussex

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £6,600,000

Section V. Award of contract

Lot No

2

Title

Bone Drive Non-Implantable

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

28 May 2024

V.2.2) Information about tenders

Number of tenders received: 3

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 3

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 3

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

MED-EL UK Ltd.

3 Park Square, Thorncliffe Park

Sheffield

S35 2PH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

Starkey Laboratories Limited

William F Austin House, Bramhall Technology Park, Pepper Road, Hazel Grove

Stockport, Cheshire

SK7 5BX

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

Cochlear Europe Limited

6 Dashwood Lang Road, Bourne Business Park

Addlestone

KT15 2HJ

Country

United Kingdom

NUTS code

- UKJ2 - Surrey, East and West Sussex

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £575,000

Section V. Award of contract

Lot No

3

Title

Ossicles Drive

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

28 May 2024

V.2.2) Information about tenders

Number of tenders received: 1

Number of tenders received from SMEs: 1

Number of tenders received from tenderers from other EU Member States: 1

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 1

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor

MED-EL UK Ltd.

3 Park Square, Thorncliffe Park

Sheffield

S35 2PH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £581,000

Section V. Award of contract

Lot No

4

Title

Consumables

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

28 May 2024

V.2.2) Information about tenders

Number of tenders received: 4

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 4

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 4

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

MED-EL UK Ltd.

3 Park Square, Thorncliffe Park

Sheffield

S35 2PH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

Starkey Laboratories Limited

William F Austin House, Bramhall Technology Park, Pepper Road, Hazel Grove

Stockport, Cheshire

SK7 5BX

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

Oticon Limited

Cadzow Industrial Estate

Hamilton

ML3 7QE

Country

United Kingdom

NUTS code

- UKM95 - South Lanarkshire

The contractor is an SME

No

V.2.3) Name and address of the contractor

Cochlear Europe Limited

6 Dashwood Lang Road, Bourne Business Park

Addlestone

KT15 2HJ

Country

United Kingdom

NUTS code

- UKJ2 - Surrey, East and West Sussex

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £5.50

Section VI. Complementary information

VI.3) Additional information

The Common Services Agency (more commonly known as National Services Scotland) ('the Authority') acting through its division National Procurement, is undertaking this procurement of (add description here...) ('Products') on behalf of all entities constituted pursuant to the National Health Service (Scotland) Act 1978, (i.e. all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS Organisation established pursuant to the NHS (Scotland) Act 1978), any integrated Joint Boards established

pursuant to the new Public Bodies (Joint Working) Scotland Act 2014 (collectively hereafter referred to as 'Participating Authorities'), where applicable and Scottish Hospices. The estimated values referred to in Section II.1.5 and 11.2.6 covers the 43 months contract duration plus the 2 x 12 months extension period of the framework agreement

(SC Ref:766807)

VI.4) Procedures for review

VI.4.1) Review body

Sheiriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

Economic operators should approach the contracting authority in the first instance. However, the only formal remedy is to apply to the courts:

An economic operator that suffers, or is at risk of suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 or the Procurement Reform (Scotland) Act 2014, may bring proceedings in the Sheriff Court or the Court of Session.

The bringing of court proceedings against the Authority after the Framework Agreement has been entered into will not affect the Framework Agreement unless grounds for the imposition of special penalties under the Public Contracts (Scotland) Regulations 2015 can be established. Otherwise the remedies that may be awarded by the courts where the Framework Agreement has been entered into are limited to the award of damages.